



Docket No.: 392.1805

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Application of:

Atsushi WATANABE et al.

Serial No. 10/627,689

Group Art Unit: 2125

Confirmation No. 3216

Filed: July 28, 2003

Examiner: Maria N. Von Buhr

For: MACHINING SYSTEM

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed September 21, 2005.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of the claims. It is submitted that the Examiner's reference only to respective portions of the claims is improper in that it provides certain emphasis which might "place unwarranted interpretations, whether broad or narrow, upon the claims" (M.P.E.P. §1302.14).

Furthermore, not all of the features quoted by the Examiner are recited in all of the independent claims. For example, independent claim 7 does not recite a "display means."


It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 12-2-05

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